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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION

11 JAMES R. GLIDEWELL DENTAL
12 CERAMICS, INC.,

13 Plaintiff,

14 vs.

15 KEATING DENTAL ARTS, INC.,

16 Defendant.

Case No. SACV11-01309-DOC(ANx)

**DECLARATION OF PHILIP J.
GRAVES RE JAMES R.
GLIDEWELL DENTAL CERAMICS,
INC.'S REPLIES IN SUPPORT OF
MOTIONS FOR SUMMARY
JUDGMENT**

Hearing

Date: December 17, 2012
Time: 8:30 a.m.
Ctmm: 9D, Hon. David O. Carter

Pre-Trial Conf.: January 28, 2013
Jury Trial: February 26, 2013

17 AND RELATED
18 COUNTERCLAIMS.

1 I, Philip J. Graves, declare as follows:

2 1. I am a partner in the law firm of Snell & Wilmer L.L.P., attorneys for
3 of record for plaintiff in this action. I am the attorney in our firm primarily
4 responsible for the handling of this case. Except where noted otherwise, I state the
5 following of my own knowledge and, if called upon to do so, could and would
6 testify competently to the following.

7 2. On November 30, 2012, I visited the United States Patent and
8 Trademark Office's website, <http://www.uspto.gov/trademarks/index.jsp>. I clicked
9 on the "Trademark Electronic Search System (TESS)" link in order to reach the
10 Trademark Electronic Search System ("TESS") webpage.

11 3. I then selected the "Word and/or Design Mark Search (Free Form)"
12 link in order to reach the search form. I entered "Nobel Procera" into the TESS
13 search window. In response to my search, I was referred to the TESS record for
14 the NobelProcera trademark (Reg. No. 3,737,243).

15 4. Attached as Exhibit 118 is a true and correct copy of a printout of the
16 TESS record for the NobelProcera trademark (Reg. No. 3,737,243).

17
18 I declare under the penalty of perjury under the laws of the United States of
19 America that the foregoing is true and correct.

20
21 Executed on December 3, 2012, in Los Angeles, California.

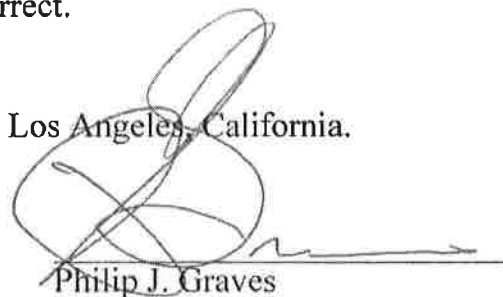
22
23
24 
Philip J. Graves

Exhibit 118



United States Patent and Trademark Office

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NobelProcera

Word Mark NOBELPROCERA

Goods and Services IC 005. US 006 018 044 046 051 052. G & S: Material for repairing teeth and for dental crowns and bridges, material for odontological and dental implant systems, namely, dental material for shaping and constructing crowns; dental porcelain materials; dental titanium materials; non-precious metal dental alloys; ceramic materials in the nature of dental ceramics; precious metal material for dental purposes, namely, alloys; and other material, namely, biocompatible material in the nature of zirconia, for dental restorations and filling teeth; dental wax

IC 009. US 021 023 026 036 038. G & S: Computer software for designing and modeling dental implants, dental crowns and dental bridges, as well as for planning surgical, medical and orthopedic operations, exclusively for use in the field of dentistry; and scanners, exclusively for use in the field of dentistry

IC 010. US 026 039 044. G & S: Surgical, medical, orthopaedic and odontological implants composed of artificial material; orthopaedic articles, namely, orthopaedic joint implants, dental crowns and bridges; instruments and apparatus for reconstruction and rehabilitation within the odontological medical, orthopaedic and surgical fields, namely, dental drills, dental picks and dental screw drivers; surgical, medical and odontological instruments and apparatus for dental surgery; artificial prostheses, namely, joints, teeth, eyes and limbs and other artificial protheses, namely, protective caps for teeth; parts and fittings for all the aforesaid goods; laser probes and electronic apparatus in the nature of rangefinders and contour mappers for odontological purposes, incorporating computers, all of them employed in the odontological sphere for medical treatment purposes; odontological scanners for odontological purposes incorporating personal computers, all used for medical treatment purposes

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 79070556

Filing Date February 25, 2009

Current Basis 66A

Original Filing Basis 66A

Published

Exhibit 118

-4-

for October 27, 2009
Opposition
Registration Number 3737243
International Registration Number 1006820
Registration Date January 12, 2010
Owner (REGISTRANT) Nobel Biocare Services AG CORPORATION SWITZERLAND Balz Zimmermann-Strasse 7 CH-8302 Kloten SWITZERLAND
Attorney of Record Milton Oliver, Esq.
Priority Date November 17, 2008
Prior Registrations 1789085;2515631;3185491;AND OTHERS
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Glidewell Laboratories v. Keating Dental Arts, Inc.
United States District Court, Central, Case No. SACV11-01309-DOC (ANx)

CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2012, I electronically filed the document described as **DECLARATION OF PHILIP J. GRAVES RE JAMES R. GLIDEWELL DENTAL CERAMICS, INC.'S REPLIES IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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Dated: December 3, 2012

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